

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 11486

Application of:

John C. Goodwin III

Art Unit: 3689

Serial No.: 10/668,396

Examiner: G. Araque

Filed: September 23, 2003

For: **METHOD OF DISTINGUISHING STORE ITEMS HAVING RFID  
LABELS FROM ITEMS BROUGHT INTO THE STORE BY A SHOPPER**

MS Appeal Brief  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENT TO APPEAL BRIEF**

Sir:

In response to the Notice of April 28, 2009, please include this supplement to the appeal brief of February 6, 2009.

**(3) STATUS OF THE CLAIMS**

Claims 1-7, 14-18, 21, and 22 are pending in the application.

Claims 8-13, 19, and 20 are cancelled.

Claims 1-22 stand rejected.

Claims 1 and 14 are appealed.

Respectfully submitted,  
  
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